

Appl No.: 10/795,884

Atty. Dkt.  
UCF287DIV**REMARKS/ARGUMENTS**

Favorable consideration of this application is respectfully requested. Applicant has rewritten claims 43, 47, 54, 64, 65, 66, 68 and 70. Favorable reconsideration of this application is, consequently, earnestly solicited in view of the following remarks.

Claims 43, 54 and 70 were objected to for having several informalities. These claims and additional claims 47, 64-66, and 68 were amended to correct minor errors. Removal of the objection to the claims is respectfully requested.

Claims 43-71 were rejected under the judicially created doctrine of obviousness type double patenting as being rejected over claims 1-29 of U.S. Patent 6,862,339 to the same assignee as that of the subject invention.

Applicant has filed a terminal disclaimer with the subject amendment response. Thus, removal of this rejection is respectfully requested.

In view of the foregoing considerations, it is respectfully urged that claims 43-70 be allowed. Such action is respectfully requested. If the Examiner believes that an interview would be helpful, the Examiner is requested to contact the attorney at the below listed number.

Respectfully Submitted;

Brian S. Steinberger  
Registration No. 36,423  
101 Brevard Avenue  
Cocoa, Florida 32922  
Telephone: (321) 633-5080

Date 5/5/06

|   |                                     |   |
|---|-------------------------------------|---|
| <b>Notice of Non-Compliant<br/>Amendment (37 CFR 1.121)</b> | Application No.<br><b>10/795884</b> | Applicant(s)<br><b>Richardson, et al.</b> |
|   | Examiner<br><b>Thomas</b>           | Art Unit<br><b>2882</b>                   |

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 4/12/06 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

**THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:**

- 1. Amendments to the specification:
  - A. Amended paragraph(s) do not include markings.
  - B. New paragraph(s) should not be underlined.
  - C. Other \_\_\_\_\_
- 2. Abstract:
  - A. Not presented on a separate sheet. 37 CFR 1.72.
  - B. Other \_\_\_\_\_
- 3. Amendments to the drawings:
  - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - C. Other \_\_\_\_\_
- 4. Amendments to the claims:
  - A. A complete listing of all of the claims is not present.
  - B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
  - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Cancelled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - D. The claims of this amendment paper have not been presented in ascending numerical order.
  - E. Other: Amendment is not serial

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/ropa/preognitice/officenew.pdf>.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

*Paula Br.*  
Legal Instruments Examiner (LIE)

Telephone No.

Part of Paper No.



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| 10/795,884  | 03/08/2004  | Martin Richardson    | UCF-287DIV          | 2063             |
| 23717   | 7590        | 04/17/2006           | EXAMINER            |                  |
| LAW OFFICES OF BRIAN S STEINBERGER<br>101 BREVARD AVENUE<br>COCOA, FL 32922 |             |                      | THOMAS, COURTNEY D  |                  |
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Please find below and/or attached an Office communication concerning this application or proceeding.